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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/083,882	02/27/2002	John Thomas Elkins	9D-EC-19920/064853-048	2146
29391	7590	04/27/2005	EXAMINER	
BEUSSE BROWNLEE WOLTER MORA & MAIRE, P. A. 390 NORTH ORANGE AVENUE SUITE 2500 ORLANDO, FL 32801			RHODE JR, ROBERT E	
			ART UNIT	PAPER NUMBER
			3625	

DATE MAILED: 04/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/083,882	Applicant(s) ELKINS ET AL.	
	Examiner Rob Rhode	Art Unit 3625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>2/27/2002</u> . | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1 – 4, 10 – 13 and 19 - 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Henson (US 6,167,383) in view of Official Notice.

Regarding claim 1 and related claims 10 and 19, Henson teaches a computerized method, system and medium for ordering and billing goods and services in connection with the goods, the method customized to meet the individualized needs of users in respective market segments by enabling ordering of packages of the goods, the method comprising:

providing a user-interface to each user configured to enable the user to define at least one package identifier associated with a respective set of goods and/or services of interest to each respective user (see at least Abstract and Figures 1 and 2);

populating a database with at least one parameter comprising respective model identifier and service code for each good and/or service associated with each

respective package identifier (see at least Col 3, lines 24 – 29 and Figures 1 and 3A);

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accessing the database in view of each defined package identifier to retrieve the at least one parameter for each respective package identifier (see at least Abstract, Col 3, lines 24 – 29 and Figures 1 and 3A); and
processing a user-selected package of goods and/or services based on a selected package identifier to generate an order of the goods and/or services associated with the selected package identifier (see at least Abstract, Col 2, lines 1 - 4 and Figure 10).

While Henson does disclose a standard configuration, which consists of a set of items such as keyboard as part of a standard configuration, Henson does not specifically disclose a package consisting of a set of goods.

On the other hand, it would have been obvious to one of ordinary skill in the art at the time of the invention to extended the method, system and medium of Henson with a method and system and medium with a package consisting of a set of goods, which provide the ability to bundle the various items under a single package nomenclature – equivalent to a standard configuration. Henson discloses a computerized method, system and medium for ordering and billing goods and services in connection with the goods, the method customized to meet the individualized needs of users in respective market segments by enabling ordering of packages of the goods, the method comprising: providing a user-interface to each user configured to enable the user to define at least one package identifier associated with a respective set of goods and/or services of interest to each respective user; populating a database with at least one

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parameter comprising respective model identifier and service code for each good and/or service associated with each respective package identifier; accessing the database in view of each defined package identifier to retrieve the at least one parameter for each respective package identifier; and processing a user-selected package of goods and/or services based on a selected package identifier to generate an order of the goods and/or services associated with the selected package identifier. The obvious variation would be to extend Henson with a method, system and medium with a package consisting of a set of goods (Abstract, Col 2, lines 1 – 4 and Figures 1 and 2). Therefore, one of ordinary skill in the art would have been motivated to extend Henson with a package consisting of a set of goods. Thereby, the customers will have a method, system and medium, which more closely aligns with their specific procurement language and therefore increase satisfaction. With this increase in satisfaction, the probability will be increased that they will return to use the method, system and medium in future ordering of products in standard configurations as well as packages consisting of a set of items.

Regarding claim 2 and related claims 11 and 20, Henson teaches a computerized method wherein the user-interface further includes a package upgrade data field configured to enable the user to define at least a respective upgrade regarding goods and/or services associated with a respective package identifier (Col 9, lines 59 – 62).

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Regarding claim 3 and related claims 12 and 21, Henson teaches a computerized wherein the user-interface further includes an option data field configured to enable the user to include goods and/or services that may be optionally supplied with a user-selected package (Col 3, lines 17 – 18).

Regarding claim 4 and related claims 13 and 22, Henson teaches a computerized wherein the database is further populated with at least one parameter comprising respective model identifier and service code for each upgraded and/or optionally included good and service (Col 3, lines 24 – 29).

Claims 5 – 9, 14 - 18 and 23 - 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Henson in view of Official Notice as applied to claims 1 and 2 above, and further in view of Wright (US 2002/0010666 A1).

Henson discloses and teaches substantially the applicant's invention.

While Henson does disclose ordering and billing of large corporations, which are usually invoiced in net 30 days, the reference does not specifically disclose and teach a computerized method wherein the user-interface further includes an invoicing-format data field configured to enable the user to select a respective invoicing format for goods and/or services included in a user-selected package and further comprising processing the invoicing-format selection to generate an invoice based on said invoice-

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format selection as well as wherein the invoicing-format selection comprises differentially identifying base costs associated with a user-selected package from incremental costs due to package upgrades and/or option and wherein the invoicing format choice is selected to separately itemize invoice parameters selected from the group consisting of taxes, service costs, installation costs, package upgrade and option costs and wherein the user interface is further configured to provide the user with a respective invoice delivery choice.

On the other hand and in the same area of ordering and billing via an invoice and regarding claim 5 and related claims 14 and 23, Wright teaches a computerized method wherein the user-interface further includes an invoicing-format data field configured to enable the user to select a respective invoicing format for goods and/or services included in a user-selected package (see at least Abstract and Figure 1).

Regarding claim 6 and related claims 15 and 24, Wright teaches a computerized method further comprising processing the invoicing-format selection to generate an invoice based on said invoice-format selection (Abstract and Figure 1).

Regarding claim 7 and related claims 16 and 25, Wright teaches a computerized method wherein the invoicing-format selection comprises differentially identifying base costs associated with a user-selected package from incremental costs due to package upgrades and/or options (Para 004 and 005).

Regarding claim 8 and related claims 17 and 26, the recitation that “wherein the invoicing format choice is selected to separately itemize invoice parameters selected from the group consisting of taxes, service costs, installation costs, package upgrade and option costs”, such recitation is given little patentable weight because it imparts no structural or functional specificity which serves to patentably distinguish the instant invention from the other “invoice” already disclosed by Wright.

Regarding claim 9 and related claims 18 and 27, Wright teaches a computerized method wherein the user interface is further configured to provide the user with a respective invoice delivery choice (claim 17).

It would have been obvious to one of ordinary skill in the art at the time of the invention to have provided the method, system and medium of Henson with the method, system and medium of Wright to have enabled a computerized method, system and medium wherein the user-interface further includes an invoicing-format data field configured to enable the user to select a respective invoicing format for goods and/or services included in a user-selected package and further comprising processing the invoicing-format selection to generate an invoice based on said invoice-format selection as well as wherein the invoicing-format selection comprises differentially identifying base costs associated with a user-selected package from incremental costs due to package upgrades and/or option and wherein the invoicing format choice is selected to

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separately itemize invoice parameters selected from the group consisting of taxes, service costs, installation costs, package upgrade and option costs and wherein the user interface is further configured to provide the user with a respective invoice delivery choice – in order to provide a choice of invoice/bill format. Henson discloses a computerized method, system and medium for ordering and billing goods and services in connection with the goods, the method customized to meet the individualized needs of users in respective market segments by enabling ordering of packages of the goods, the method comprising: providing a user-interface to each user configured to enable the user to define at least one package identifier associated with a respective set of goods and/or services of interest to each respective user; populating a database with at least one parameter comprising respective model identifier and service code for each good and/or service associated with each respective package identifier; accessing the database in view of each defined package identifier to retrieve the at least one parameter for each respective package identifier; and processing a user-selected package of goods and/or services based on a selected package identifier to generate an order of the goods and/or services associated with the selected package identifier. The obvious variation would be to extend Henson with a method, system and medium with a package consisting of a set of goods. Wright discloses a computerized method wherein the user-interface further includes an invoicing-format data field configured to enable the user to select a respective invoicing format for goods and/or services included in a user-selected package and further comprising processing the invoicing-format selection to generate an invoice based on said invoice-format

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selection as well as wherein the invoicing-format selection comprises differentially identifying base costs associated with a user-selected package from incremental costs due to package upgrades and/or option and wherein the invoicing format choice is selected to separately itemize invoice parameters selected from the group consisting of taxes, service costs, installation costs, package upgrade and option costs and wherein the user interface is further configured to provide the user with a respective invoice delivery choice (Abstract and Para 004 & 005). Therefore, one of ordinary skill in the art would have been motivated to extend the method, system and medium of Henson with a method, system and medium for a computerized method wherein the user-interface further includes an invoicing-format data field configured to enable the user to select a respective invoicing format for goods and/or services included in a user-selected package and further comprising processing the invoicing-format selection to generate an invoice based on said invoice-format selection as well as wherein the invoicing-format selection comprises differentially identifying base costs associated with a user-selected package from incremental costs due to package upgrades and/or option and wherein the invoicing format choice is selected to separately itemize invoice parameters selected from the group consisting of taxes, service costs, installation costs, package upgrade and option costs and wherein the user interface is further configured to provide the user with a respective invoice delivery choice.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Rob Rhode** whose telephone number is **(703) 305-8230**. The examiner can normally be reached Monday thru Friday 8:00 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Wynn Coggins** can be reached on **(703) 308-1344**.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the **Receptionist** whose telephone number is **(703) 308-1113**.

Any response to this action should be mailed to:

Commissioner for Patents

P.O. Box 1450

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or faxed to:

(703) 872-9306 [Official communications; including
After Final communications labeled
"Box AF"]

(703) 746-7418 [Informal/Draft communications, labeled
"PROPOSED" or "DRAFT"]

Hand delivered responses should be brought to Crystal Park 5, 2451 Crystal Drive, Arlington, VA, 7th floor receptionist.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for

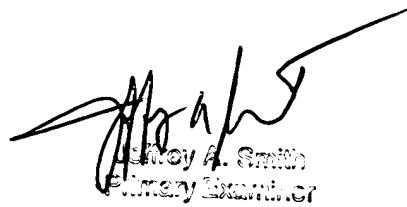
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RER



Anthony A. Smith
Primary Examiner